

1 REMARKS

2 Status of Application

3 Claims 1-17 are now pending in the present application. Applicants have amended Claims 1,  
4 8, and 10, to make it more apparent that these Claims are clearly distinguished over the art cited.  
5 Claim 9, to which the Examiner objected, has been cancelled. In addition, Claims 2 and 14 have  
6 been amended for consistency of format. Claim 5 has been amended to correct a typographical error.

7 Withdrawal of Priority Claim

8 The Examiner notes that the claim to priority in an earlier filed provisional application  
9 appears to be in error, because the provisional application cited in the declaration appears to be  
10 directed toward different subject matter, lists different inventors, and lists a different assignee.  
11 Applicants apologize for the error. Attorneys previously representing the applicants mistakenly made  
12 this priority claim. **Applicants hereby formally withdraw the previous claim to priority in the**  
13 **filing date of the provisional application.** The filing date of this application, June 18, 2001, is thus  
14 applicable in determining the date of references potentially citable as prior art.

15 Amendment to the Specification

16 Applicants request the Examiner permit the amendment of two paragraphs in the  
17 specification, for which revised paragraphs have been offered. The amendments offered are solely to  
18 correct typographical errors, and applicants submit that these changes do not introduce new matter  
19 into the specification.

20 Claims Rejected under 35 U.S.C. § 103

21 The Examiner has rejected Claims 1-17 as being unpatentable under 35 U.S.C. § 103(a) over  
22 Excel 2000 (hereinafter "Excel"), released in 1999, of which the Examiner has provided 16 Excel  
23 screenshots in support of the Examiner's contention. More specifically, the Excel screenshots show  
24 the following:

- 25 Screen 1: version and copyright of the Excel version upon which the Examiner relies;  
26 Screens 2-7: importing of a three-column/three-field list from a text file;  
27 Screen 8: selection of **all** of the imported text file, including **all** fields and **all** rows;  
28 Screen 9-15: sorting of the three-column list according to different fields; and  
29 Screen 16: user accessing "Insert" menu and selecting to insert an "object."  
30

1 Based on these screen shots, the Examiner asserts that the prior art version of Excel teaches importing  
2 and placing pre-existing data (Screens 2-9), defining fields in the list (Screens 3-8), and logically  
3 associating the fields in records so that row integrity is maintained upon being sorted (Screens 7-15).  
4 Although the Examiner concedes that the predecessor version of Excel does not teach making the list  
5 a List Object, the Examiner contends it would have been obvious to do so because the predecessor  
6 version of Excel recognizes insertion of objects (Screen 16).

7 In the interest of reducing the complexity of the issues for the Examiner to consider in this  
8 response, the following discussion focuses on the patentability of independent Claims 1, 8, and 10.  
9 The patentability of each remaining dependent claim is not necessarily separately addressed in detail.  
10 However, applicants' decision not to discuss the differences between the cited art and each dependent  
11 claim should not be considered as an admission that applicants concur with the Examiner's  
12 conclusion that these dependent claims are not patentable over the disclosure in the cited references.  
13 Similarly, applicants' decision not to discuss differences between the prior art and every claim  
14 element, or every comment made by the Examiner, should not be considered as an admission that  
15 applicants concur with the Examiner's interpretation and assertions regarding those claims. Indeed,  
16 applicants believe that all of the dependent claims patentably distinguish over the references cited.  
17 Moreover, a specific traverse of the rejection of each dependent claim is not required, since  
18 dependent claims are patentable for at least the same reasons as the independent claims from which  
19 the dependent claims ultimately depend.

20 Applicants respectfully disagree with the Examiner for two reasons. First, the association of  
21 fields to maintain record integrity as shown in Screens 7-15 is the same type of temporal association  
22 of records described in the Background Section of the application at Page 4, lines 4-5, in regard to the  
23 shortcomings of the prior art. Using the predecessor versions of Excel, if the user selected **all** fields  
24 of **all** records of a database, **each time** before sorting the records, the records could be searched by a  
25 single field or column, and the relationship of fields within each record would remain intact.  
26 Selection of **all** fields of **all** records of the exemplary database shown in the screen shots relied upon  
27 by the Examiner is precisely what is shown in Screen 8, which applicants concede is a prior art  
28 solution to a prior art concern. Nonetheless, it should be noted that selecting all the fields of all the  
29 records for a small, eleven-record, three-field database as shown in the Examiner's example, is  
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1 reasonably simple for a user to perform. The same would not be true if the database extended across  
2 many rows and columns, and perhaps many pages, of the spreadsheet.

3 Moreover, as described in the Background Section, at Page 3, line 5 - Page 4, line 3, if a user  
4 did not select *all* fields or *all* rows of the database before conducting a sort, and assuming that there  
5 was a lasting, continuing tabular data structure associating the fields within each record, the database  
6 could be completely corrupted. For example, as described in the Background Section, if a user had a  
7 database of names, addresses, and phone numbers, and initiated a sort of just the names, the names  
8 would be sorted while the other fields were not. As a result, the database would be completely  
9 corrupted and jumbled, and after the sorting based on just the name, there would be no relationship  
10 between the names, addresses, and telephone numbers corresponding to the data before the sort. In  
11 terms of the Examiner's example, if on Screen 8, only the first two columns of the data were selected,  
12 the sort illustrated in Screen 12 would result in the relationship being lost between the data in the  
13 fields of the first two columns, relative to the data in the third column.

14 As also indicated by the Background Section at Page 4, lines 5-11, although the predecessor  
15 version of Excel may have assumed that contiguous arrays of cells were to be sorted as a whole, the  
16 presence of any blank cells separating any fields or records would result in those separated fields or  
17 records not being included in the sort, causing the data to become jumbled. Furthermore, the  
18 presence of information in adjacent cells that are not part of the database might be sorted  
19 accidentally. Thus, applicants respectfully contend that the example relied upon by the Examiner as  
20 illustrated in Screens 2-15 only servers to illustrate on a small scale, the prior art concern that  
21 embodiments of applicants' invention seek to address.

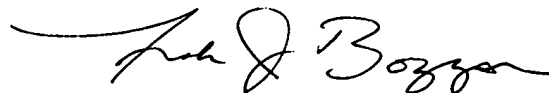
22 Second, the illustration of Screen 16 does not disclose a solution to this concern addressed by  
23 the present invention. As previously described, the Examiner admits that Screens 1-16 from the  
24 predecessor version of Excel do not teach making the list into a list object, but the Examiner asserts  
25 that it would have been obvious to do so, using the object creation properties of Excel. Respectfully,  
26 nothing shown in the screens provided by the Examiner show any object creation tools, let alone any  
27 technique that could be used to create a sortable list including continuing associations between fields  
28 within the records of the list. Screen 16 simply shows that a user could access the Insert menu and  
29 select the Object option to insert objects such as text files, images, or other pre-existing objects.  
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1 Nothing is shown indicating the possibility of creating an object in a way that is possible using  
2 embodiments of the present invention.

3 To further distinguish the claims over the cited reference, applicants have amended  
4 independent Claims 1, 8, and 10. More specifically, Claim 1 has been amended to recite the step of  
5 creating a *continuing association* between each field within each record *such that each field*  
6 *remains associated* with other fields within each record when the record is manipulated, *regardless*  
7 *of whether a user selects all of the fields* within each record when manipulating records within the  
8 list. Claim 8 includes a comparable amendment. Claim 10 has been amended to recite that fields are  
9 *continuingly* associated with every other field in the record, regardless of whether a user selects all of  
10 the fields within each record when manipulating records within the list. Thus, it should be apparent  
11 that the cited reference, Alfred, neither teaches nor suggests the present invention with regard to  
12 independent Claims 1, 8, and 10 as amended, or the claims depending therefrom. Accordingly,  
13 the rejection of Claims 1-8 and 9-17 under 35 U.S.C. § 103(a) should be withdrawn.

14 In view of the amendments and Remarks set forth above, it will be apparent that the claims in  
15 this application define a novel and non-obvious invention, and that the application is in condition for  
16 allowance and should be passed to issue without further delay. Should any further questions remain,  
17 the Examiner is invited to telephone applicants' attorney at the number listed below.

18  
19 Respectfully submitted,

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23 FJB/RMA:lrg  
24

25 MAILING CERTIFICATE

26 I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed  
27 envelope as first class mail with postage thereon fully prepaid addressed to: Commissioner for Patents,  
28 Alexandria, VA 22313-1450, on February 9, 2005.

29 Date: February 9, 2005

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